

REMARKS

Claims 1-5, 7-18 and 20-27 are all the claims pending in the application. By this Amendment, Applicant adds claims 28-30. No new matter is added. Reconsideration and allowance of claims 1-5, 7-18 and 20-30 are respectfully requested in view of the following remarks.

I. Prior Art Rejections

Claims 1-5, 7-18 and 20-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,000,187 to Messinger (hereinafter "Messinger") in view of U.S. Patent Application No. 2004/0268259 to Rockey et al. (hereinafter "Rockey") and further in view of U.S. Patent No. 6,437,758 to Nielsen et al. (hereinafter "Nielsen"). Applicant respectfully traverses this rejection because the references fail to teach or suggest all of the elements as set forth and arranged in the claims.

Of these rejected claims, only claims 1, 14, and 27 are independent. Claim 1 recites "a tracking system detecting and recognizing real objects in a space, the tracking system comprising at least one image detection unit detecting the real objects and a computer unit processing information output by the image detection unit." Claims 14 and 27 similarly recite "detecting and recognizing real objects in a space, comprising detecting the real objects and processing information therefrom."

The Examiner acknowledges that Messinger and Rockey do not teach the above noted unique features of claims 1, 14 and 27 but contends that Nielsen does. Specifically, the Examiner contends that Nielsen teaches the above-noted unique features of claims 1, 14 and 27

by showing “a gaze tracking device to detect the context of the user and provide information based on [the] context of the user.” *See* pages 4 and 6 of the Office Action. Applicant respectfully disagrees with the Examiner’s interpretation of the Nielson reference.

Nielson’s gaze tracking system is “used to develop a gaze position from a plurality of gaze coordinates.” *See* col. 10, lines 21-23. The system contains an infrared LED and a video lens that is positioned below a display of a computer system, such as, for example, a monitor (*see* FIG. 2) and determines if the user becomes interested in a particular area of the display. This is done by the use of “image processing capabilities that operate on a video image of an eye to determine the gaze direction of the eye.” *See* col. 2, lines 32-34. In essence, Nielson teaches a system, which analyzes the movement of a human eye while a user looks at a display monitor in order to identify an area on the screen in which the user is interested.

However, Nielson does not detect real objects in a space, such as, for example, machines, components, persons, etc. If at all, the only object in a space that is detected by Nielson’s gaze tracking system is the user’s eye. By contrast, multiple real objects in a space are detected and recognized, as recited in claims 1, 14 and 27. Furthermore, Nielson is silent about recognizing the user’s eye. Since Nielson does not differentiate between different users (for security purposes, for example) there is not even a need to recognize particular user’s eyes. Nielson does not discuss the steps of detecting the user’s eye, not to mention any recognition of the eye, because Nielson is mainly concerned with calculating a gaze position based on detected gaze coordinates. *See* col. 10, lines 21-23 and FIG. 4.

Even assuming, for the sake of argument, that the user's eye is detected and recognized, information about the detection and recognition (if such information is generated at all) would not be used "for automatic generation of the context of the user," as recited in claim 1 and similarly recited in claims 14 and 27. Such information could only be used to identify the user's eye so that the gaze tracking system could start operating, for example. What Nielson does not teach is using information based on the detection and recognition of the eye in order to provide "automatic context registration for automatic generation of the context of the user," as recited in claim 1 and similarly recited in claims 14 and 27.

In addition, the Examiner specifically refers to col. 13, lines 52 to col. 14, line 15 as allegedly teaching the above-noted unique features of claims 1, 14 and 27. These paragraphs refer to Nielson's FIGs. 10 and 11 and disclose how a certain text area on the computer screen can be automatically enlarged by using Nielson's gaze tracking system. "[W]hen the gaze tracker indicates that the user is reading an article title, the invention starts expanding the article text by a magnification factor to an optical size for the user." *See* col. 13, lines 62-65.

Applicant submits that even if one would interpret the headlines of the articles as objects, these objects would not be real objects in a space, as recited in claims 1, 14 and 27. By contrast, the headlines are displayed on a computer screen and are at most virtual objects. In any case, the headlines are not real objects in a space.

As a result, Messinger in view of Rockey and Nielson do not disclose or suggest all of the elements as set forth and arranged in independent claims 1, 14 and 27.

Therefore, Applicant respectfully requests that the rejection of claims 1, 14 and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn. Claims 2-5, 7-13, 15-18 and 20-26 depend from claims 1 and 14, respectively, and are patentable at least by virtue of their dependencies from the claims.

II. New Claims

In order to provide more varied protection, Applicant adds claims 28-30. Support for the new added claims is found throughout the specification, *e.g.*, at pages 4, 10 and 13 of the specification as filed. Claim 28-30 are believed to be allowable, at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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